



Appeal Decision

Site visit made on 13 March 2025

by **H Marriott MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8th April 2025

Appeal Ref: APP/W0530/W/24/3354927

45 Thornton Way, Girton, Cambridgeshire CB3 0NL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Ryan and Elisa Pelcova against the decision of South Cambridgeshire District Council.
 - The application Ref is 23/04656/FUL.
 - The development proposed is new dwelling at the rear of no. 45 Thornton Way and new porch to existing house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Amended plans comprising Drawing Numbers 235-SP-04 rev B, 235-SP-05 rev B, 235-SP-06 rev C and 235-SP-12 have been submitted with the appeal. These plans propose an amended dormer window roof design. Although these amended plans were submitted to the Council prior to making its decision, the Officer report is clear that its decision was based on the plans as originally submitted. Whilst the changes have not been consulted upon, the amended and additional details do not make a substantial difference or result in a fundamental change to the proposed development, when compared to that upon which the Council made its decision. Consequently, taking the amended drawings into account would not cause procedural unfairness having regard to the circumstances of the appeal proposal. Accordingly, I have determined the appeal having regard to the amended plans.
3. The Council has confirmed that subject to suggested conditions securing mitigation measures, it would not seek to defend its reasons for refusal relating to whether the proposed development would provide adequate living conditions for the occupiers of 45 Thornton Way, with particular reference to privacy (reason 4); and the effect of the proposed development on biodiversity (reason 5). As a consequence, subject to the imposition of the specified conditions there is no longer any dispute with regards to these particular matters and I have defined the main issue relating to reasons 1-3 only on this basis.
4. A revised National Planning Policy Framework (the Framework) was published on 12 December 2024. In this instance, the policies of the Framework most relevant to the appeal are unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by this.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area including trees and landscaping.

Reasons

6. Thornton Way is a residential street with a footway and grass verges on both sides. It is mainly fronted by two-storey detached dwellings and by some semi-detached dwellings that form a strong building line set behind similar sized front gardens. Dwellings are of varying architectural styles yet there is an overall consistency in the materials, which include brickwork and/or render facades and tiled roofs. They also tend to have long narrow rear gardens and frequent trees and hedgerow boundaries provide a verdant character to the street. Whilst there have been some physical alterations to dwellings in the vicinity, including extensions, there is an overall regularity in terms of the development rhythm and spacing between similar house types.
7. The appeal site at 45 Thornton Way (No 45) is a wide fronted semi-detached two-storey dwelling with front and rear garden. It is the end dwelling in the street, with its rear and side boundary located adjacent to agricultural land. A close boarded fence sits along the shared boundary with 43 Thornton Way. All other boundaries are defined by hedgerows and trees, including a mature tree belt located outside of and adjacent to the side and rear boundaries of the appeal site. This tree belt is a linear feature which extends along the rear or side of a number of dwellings along Thornton Way. The modest scale and relationship with its surroundings means that No 45 is unassuming in the street scene and sits comfortably within the character and appearance of the locality.
8. The proposed 1.5 storey dwelling would be located in the rear garden of No 45. It would have a narrow frontage facing towards the rear elevation of No 45 and a deep side elevation including dormer windows on one side, located close to the side boundary facing towards the tree belt and agricultural land beyond. There do not appear to be any other dwellings located within rear gardens along this part of Thornton Way. The proposed development would therefore interrupt the rhythm of garden sizes and its layout would unacceptably contrast with the pattern of development in the area.
9. The appeal site is not located within the Green Belt, however Policy NH8 of the South Cambridgeshire Local Plan (2018) (LP) states that development on the edges of settlements which are surrounded by the Green Belt must include design measures of a high quality. The appellant's Arboricultural Impacts Assessment (AIA) confirms that the tree belt is of high landscape value. Even though glimpsed views of existing buildings around settlement edges can be achieved from the surrounding Green Belt, my own observations on site confirm that the tree belt is effective in softening the built-up edge of Girton.
10. The AIA sets out mitigation measures to ensure the protection of the mature tree belt and there is no substantive evidence before me to suggest that such measures would not be effective. However, the Council's Tree Officer raises concern associated with seasonal nuisance and the AIA confirms that detritus from trees should be anticipated due to the siting of the proposed dwelling and garden close to the tree belt, within the root protection zones of a number of trees. This could result in future pressure to remove trees.

11. Even though the tree belt would be retained, the AIA recommends some crown-lifting and minor tipping back. Furthermore, pruning at regular intervals would likely be required by occupiers in order to maintain already limited spacing between trees and windows in the proposed dwelling and to reduce detritus within its plot. The effect of these measures would likely be to diminish the effectiveness of the tree belt and this may open up views of the appeal site from the surrounding area. There would be insufficient space remaining to enable the provision of a meaningful landscape scheme that would enhance screening of the proposed development.
12. Whilst the proposed dwelling would not be highly visible from Thornton Way, it would be visible from No 45 and from neighbouring dwellings. The proposed zinc roofs and timber effect cladding would not relate sympathetically to the prevailing material types along Thornton Way. It is understood that this is intentional, and the appellant's Materials Study seeks to demonstrate that the proposed materials can be a suitable within an agrarian landscape. However, the proposed dwelling would be domestic in appearance due to the inclusion of dormer windows. Combined with the dwelling's position close to the boundary and concerns regarding the effect on the tree belt, this would result in an eye-catching building highly visible from the adjacent Green Belt land and its incongruous appearance would not represent high quality design.
13. The AIA includes mitigation measures that may improve the growth and longevity of trees on the site including the removal of an existing shed. However, such measures could be implemented without the appeal proposal and do not justify the harm identified.
14. I conclude that the proposed development would have a harmful effect on the character and appearance of the area, taking into account considerations relating to trees and landscaping. In this regard it would be contrary to Policies NH/2, NH/8, H/16, S/7 and HQ/1 of the LP which requires development on the edges of settlements which are surrounded by the green belt to include careful landscaping and design measures of a high quality, to respect and retain or enhance the local character and distinctiveness of the local landscape, to be of a character appropriate to the location and to preserve or enhance the character of the local urban and rural area.

Other Matters

15. The appellant indicates that outline planning permission for large-scale residential development has been approved on agricultural land to the east of the site (Council ref: 22/02528/OUT). Whilst this could alter the local landscape and views from the Green Belt, the main parties have not confirmed whether or not detailed plans have yet been advanced or which parts of the land would be developed for housing. Moreover, it cannot be guaranteed if and when the development will come forward. It has therefore been necessary to assess the effects of the proposal with regards to the appeal site's location at the edge of Girton and the effects based on the existing site surroundings.
16. I do not know the full planning circumstances behind other recent developments, such as those on Thornton Road (Council refs: S/1601/18/FL and S/1788/18/FL), Thornton Close (Council ref: 21/01012/S73) and Girton Road (Council ref: 21/01008/FUL). The extracts of plans and information provided by the appellant,

suggest they relate to new dwellings behind existing dwellings fronting these streets. However, these sites are on different streets to the appeal proposal and do not share the same characteristics as the appeal site. In any event, even if similar dwellings have been approved elsewhere, this does not alter my observations in respect of the site-specific circumstances of the appeal proposal.

17. The proposed dwelling would provide a new family home within the settlement of Girton, close to public transport infrastructure in walking distance of local amenities and within cycling distance to Cambridge. It would also incorporate sustainable measures to reduce energy consumption including solar panels and cycle parking provision. Employment during construction would be generated. Given that the proposal is for one additional dwelling, these associated benefits would be limited.
18. I accept that the Council identified no harm in relation to flood risk, light, highway safety and parking. No objections were received from neighbours. Even so, these considerations indicate the absence of harm in other respects rather than any benefit.

Conclusion

19. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Marriott

INSPECTOR